



# CITY OF ELY

501 Mill Street Ely, Nevada 89301  
City Hall (775) 289-2430  
[Cityofelynv.gov](http://Cityofelynv.gov)

## ELY CITY COUNCIL REGULAR MEETING

August 31, 2021 5:00 p.m. – Ely Volunteer Fire Hall – 499 Mill Street – Ely, Nevada

1. Mayor Robertson called the regular meeting of the Ely City Council to order at 5:05 P.M.; Rev. James Woffinden offered invocation. Mayor Robertson led in the Pledge of Allegiance and asked for Roll Call.

Members present:

Mayor Nathan Robertson  
Councilman Ernie Flangas  
Councilman Kurt Carson  
Councilman Ed Spear  
Councilman Jim Alworth  
Councilwoman Jerri-Lynn Williams-Harper

City Officials and staff present in the building or via video conference:

City Clerk Jennifer Lee  
City Treasurer-HR Director Janette Trask (Zoom)  
City Attorney Leo Cahoon  
City Administrative Assistant Patti Cobb  
Public Works Supervisor Mike Cracraft  
City Building Official Lee Walker  
City Engineer BJ Almberg  
City Police Chief Scott Henriod  
Municipal Court Judge Mike Coster

Also, in attendance: Members of the public in attendance at the Ely Volunteer Fire Hall signed in (appears below) and the following persons attended via video conference: Geri Wopschall, and Marietta Henry.

### ELY CITY COUNCIL ATTENDANCE LIST

DATE: August 31, 2021

Print name below

Rev. James Woffinden  
M. Coster  
George Chachas  
Bill Nigger  
MARC HANSEN  
Karin Hayes

Print name below

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## **2. PUBLIC COMMENT**

William Miller stated I am here to discuss agenda item 5C having to do with the STOP and Yield signs on Avenue L and 12<sup>th</sup> Street. I was grateful to see there was a traffic study done by Sheriff Henriod. My mother has owned a home there for forty-five years and my daughter has a home a couple doors up on Avenue L and so I am frequently in that neighborhood. Over the past few years, I have noticed an increase in traffic due to it being fall, high school playing ball on the fields, and the Learning Bridge Charter School. On 12<sup>th</sup> Street you have about 1200 feet, I believe from Avenue I to Avenue M with no traffic devices to stop or slow down cars and what I have seen frequently in that neighborhood is parents trying to get their kids to and from school with a lot of near misses whether it is a vehicle, pedestrians, or kids on bicycles leaving David E. Norman and traveling east to home. I am glad to see something is being done with this. When they did the traffic study keep in mind it was done in the month of August when there were no activities taking place on the baseball fields and kids were out of school. As of yesterday, I am sure you are going to see an increase in traffic on that street. The reason 12<sup>th</sup> Street has seen a lot more activity is because they are avoiding the school zone around David E. Norman. I am here to give my support of any type of traffic control on those streets and keeping our students and young folks in mind as we do so.

George Chachas stated on your agenda item 8C-4 you are considering donating \$144,987.12 of the Ely American Rescue Plan Act money to the Nevada Northern Railway for track restoration due to the NDOT Sewer Project; that needs to be denied. The railroad knew this project was coming and should have planned for it. The room tax money given to them alone in the months of May, June, and July this year was \$103,562.23 with the room tax monies to be received in August which would make it even higher and they would have had enough for the project. Mayor, I am disappointed in you to not veto the decision made by the Council to write off over \$4,000.00 for utilities that was used by 790 Avenue I. Mr. Chachas stated ongoing concerns regarding the rumor of embezzlement at the Railroad; that the railroad needs to be back under the City oversight; City Billing brought back to City Hall; not receiving a final copy of the personnel manual; fees regarding video games; and billing for his properties.

## **3. Mayor – Discussion/For Possible Action – Approval of Agenda, including removal of agenda items.**

Councilman Carson moved to approve the agenda as presented. Councilman Flangas seconded the motion. The motion carried unanimously.

## **4. CITY DEPARTMENT REPORTS**

### **➤ MUNICIPAL COURT JUDGE**

Municipal Court Judge Coster stated what was provided in the supplemental material was not the normal monthly submission, but rather the State's report to us on the judicial year that ended July 31, 2021. We closed 103% of the cases that we took in which means during the slower moving COVID year we were able to catch things up on old cases. The overall case reduction and revenue reduction for that last year was not as severe as I thought it would be. Right after the COVID restrictions were put into place last year we had a significant change in the number of charges that were brought and how we handled them; that has picked back up and we have recovered rather quickly and it shows in our stats for the year of our overall reduction in cases, most of which are misdemeanor cases. It was a good year for judicial operations as far as metering criminality. The number of cases we do track are severity or crime wave phenomenon. The biggest change we had last year was our court, at essentially the direction of the District Attorney, not doing domestic violence cases because the State Supreme Court requires those defendants to have access to a jury trial if they choose to. Those cases could not come to us if they did seek a jury, so the District Attorney put them all in justice court. The State Legislature this year changed the law to empower all municipal courts throughout the State of Nevada to have the authority to do jury trials. How that will be implemented in White Pine County, I do not know, but we will have a three-day training in January. The focus of this training will be on DUI's and the conduct of jury trials in municipal courts.

### **➤ CITY CLERK**

City Clerk Lee stated I was able to tour the new county jail with Treasurer Trask last Thursday; it was very interesting and impressive. The County has certainly done a great job on that facility and I am proud of the City's part in contributing to that with the property we deeded them.

➤ **CITY ENGINEER**

City Engineer Almberg stated the City is doing chip sealing on some of the roads which has been a multi-year project, and I think that is going to be a big benefit to our city streets in the long run. What you see out there right now is a much better situation than slurry seals that were going on. They are just doing the roadway, but will go back and do curb to curb. It will be a much cheaper way that with all the contractors and hopefully going forward, we will get more efficient at this. Mike and his crew did a great job getting that done and it was a joint effort between the County and the City. Mt. Wheeler Power is doing some upgrades on the terrace replacing power lines and poles. The City has an ordinance that was passed a few years ago so there is some coordination that needs to go on because AT & T used to not switch poles, so we are working through those coordination issues. We met last week with the Fire Department about their ISO rating and that seemed to go well based on the portion of the meeting I sat in on. One thing we have left to do is the City water crews have been doing several fire hydrant tests and we are taking those flow tests they have completed and comparing it to our water network analysis software that we have, to hopefully provide that they match up for a better ISO rating. There was more compaction testing done on the Murry Street Project. They provided us one round of results that were substantially better than previous ones. We let them know we still need additional testing. They have completed that, and we are just waiting for those results to come in and my understanding is those results are substantially better. We were also provided a disc of the sewer lines that they used a camera in. It is just a matter of watching those and making sure they are ok and hopefully all of it ends up being an anomaly and we can move on. We have marked up curb and gutter that will be pulled out for the next phase of the project.

Mayor Robertson stated I have a question on the results that came in from Knight Piesold. Were those compaction tests done in the same locations as the previous ones?

City Engineer Almberg stated I don't know if they were done in the same exact spots. I wanted them throughout the whole roadway because I didn't want them to sample where they had just compacted.

Councilman Carson stated you are not sure if they tested in the same location?

City Engineer Almberg stated no, I don't know that. I am just waiting for everything to come in so I can compile it, but what I did see come in was substantially better.

Mayor Robertson stated they were substantially better. Some of them were above 100% compaction which I have concerns with.

City Engineer Almberg stated that is the nature of the beast. Sometimes that does happen because you have a proctor for a certain material and if you cut into rocks it can throw off that proctor.

Mayor Robertson stated to me it means they either used a proctor they assumed was the same and it wasn't. I just don't know what kind of labs send out results that say 105% or 108% compaction and I am really concerned about that. I have not seen that from any lab that I have ever used. It usually means something is wrong in the math or the material they proctored.

City Engineer Almberg stated it could be a different material over there, but I think it is still within rankings. I surely have been involved in the field and realize that you have to have multiple different proctors because as you dig through that pit and that material changes, the proctor does change throughout that material.

Mayor Robertson asked so the material they took the proctors from was not from the material on Murry Street?

City Engineer Almberg stated it was from that material on the street I just didn't want them to go back and take samples right where they took them from before as they had just compacted that.

Mayor Robertson stated I am uncomfortable with those kinds of results for one reason or another. I just got them back this afternoon and have not had a chance to go through them.

City Engineer Almberg stated that was from the first round and I haven't seen the second round yet. I have not had a chance to watch the camera disc yet but have viewed portions of it and the camera portion is completed.

Councilman Flangas stated on the chip seal they are doing on the streets why are they going over the manhole covers and potholes. Is there a reason we don't fill those or take care of them?

City Engineer Almberg stated on some of the streets they did a cold patch overlay in central Ely. The other roads were in a little better shape and they were hoping that with the oil and enough chips in there it would smooth out the surface and make it better than it was.

Councilman Flangas stated why is it we don't require curb and gutter to help maintain the chip seal and pavement. The streets on Murry and Mill are working out quite well but there is curb and gutter on one side and on the other side it is open. The fastest way a road will deteriorate is when there is nothing to keep it intact.

City Engineer Almberg stated I 100% agree with you, but money is the issue. We just don't have the money to put curb and gutter on every road.

Councilman Flangas stated what they had done one time on the east side of town where the streets are much wider is they were giving people ten feet on each side of the street for their parking providing they put curb and gutter in and those streets are holding.

City Engineer Almberg stated those streets in east Ely are extremely wide and they are so expensive to maintain. That is why we try to maintain the drive lane where everyone is driving and not so much the parking areas.

## **5. REPORTS**

### **➤ COUNCILWOMAN WILLIAMS-HARPER**

Councilwoman Williams-Harper stated I attended the Nevada League of Cities and I was honored to be able to go and it was a great learning experience to see what other cities are doing. It was good to hear that our Council is on top of a lot of things. One thing I was very concerned about was I want to make sure we are protected when it comes to cyber issues. There was a lot of information and that really perked up my ears. I want to learn about that as much as I can and make sure our policies and procedures are in place so we don't lose any services for our community because of something that may happen.

### **➤ COUNCILMAN ALWORTH**

Councilman Alworth stated I also went to the Nevada League of Cities and it was well attended. I think it was the largest group they have had in quite a few years. Their membership is increasing which is good because there is strength in numbers. I also participated in the debt management meeting today.

### **➤ COUNCILMAN FLANGAS**

Councilman Flangas stated I attended the Regional Planning Commission meeting and I will say they are doing a good job and working towards projects that will be beneficial to the City and County.

### **➤ MAYOR ROBERTSON**

Mayor Robertson stated I also attended the Nevada League of Cities with Councilman Alworth and Councilwoman Williams-Harper and they did have some good presentations and a valuable time was had by everybody.

**6. THE MAYOR WILL RECESS THE REGULAR CITY COUNCIL MEETING FOR A PUBLIC HEARING AT 5:30 P.M. ON THE FOLLOWING TOPICS.**

1. Mayor Robertson – Public Hearing – Discussion Only – Approval of Second Reading of Ordinance 743, Bill 2021-06, amending Title 5, Chapter 5 of the City Code of the City of Ely setting forth hours designated for public use of City Parks.

City Attorney Cahoon stated the changes are indicated in red. There were certain terms that were inconsistent, but no substantial changes.

Councilman Flangas stated the City parks are used a lot by dog owners. Is there anyway we could provide doggie bags for the owners to pick up waste and deposit it?

Mayor Robertson stated I think that is something we could discuss with public works, but I don't think that is part of the Ordinance. The Ordinance provides penalties for litter of all varieties.

Councilman Spear stated I would like to see an application for special events

Mayor Robertson stated we already have a special use permit application.

2. Councilman Spear – Public Hearing – Discussion Only – Public suggestions for the American Rescue Plan Act (ARPA) funding received by the City of Ely in responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency.

George Chachas stated the City needs to establish a victim's fund as some of the community has suffered from vandalism and property loss with no restitution or consideration given from government agencies. There needs to be some protection for those property owners that have not been able to collect rent.

Councilman Spear stated we had eight members submit their thoughts on a survey of their priorities from the draft list and City Employees were one of the higher-ranking items and the Budget Committee came out and they are not even mentioned in it. I think we need to take care of our employees before we start throwing money out there. It irritated me back in March when we took the money away from them. I went to the extent of forfeiting my entire salary for that time and now that we have an opportunity to take care of them. We have lost several employees that we will be discussing at a later time regarding exit interviews. If the Budget Committee doesn't want to take care of it, I think we should take it to our next City Council meeting to get taken care of.

Mayor Robertson stated Councilman Spear I don't think it is a matter of the Budget Committee not wanting to do it. Staff is aggressively trying to figure out how to do this to make sure we are in compliance with how the funding goes out. We don't want to make a mistake on this as this funding will be audited by the federal government.

Councilman Spear stated I have read through every bit of the COVID funding restrictions and it says you can give premium pay to those essential workers during that time. I don't know how many times we have had this on the agenda to do this stuff and we have come up with a list and the employees should be the top of the list as far as I am concerned.

City Clerk Lee stated I want to bring to everyone's attention that it is on the agenda tonight to approve Budget Committee's recommendation to include, modify, or exclude the following: premium pay for all current City of Ely employees as essential workers. We have been informed by our auditor that the beginning date for this funding is March 3, 2021, and so employees prior to that date cannot be considered.

Councilman Alworth stated at the League of Cities Conference they made it real clear to be patient and think before we act on some of this stuff. The City Clerk just mentioned that our City Treasurer has worked diligently; it is in there and being handled. As we get into it the City Treasurer, with the assistance of our auditor, has three options for us on that.

Councilman Spear stated I do apologize that I missed that.

Councilwoman Williams-Harper stated I am in support of that also. I know they are trying to make sure we are doling out correct amounts of money because some of the things we talked about have been rather low.

## **7. DISCUSSION/POSSIBLE ACTION ITEMS PERTAINING TO THE PUBLIC HEARING.**

1. Mayor Robertson – Discussion/For Possible Action – Approval of Second Reading of Ordinance 743, Bill 2021-06, amending Title 5, Chapter 5 of the City Code of the City of Ely setting forth hours designated for public use of City Parks.

Councilman Alworth asked do we have to have the signage posted before it passes to have any bite?

City Attorney Cahoon stated there is twenty days after passage before it goes into effect.

Councilman Flangas moved to approve the second reading of Ordinance 743, Bill 2021-06. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

## **8. ITEMS FOR DISCUSSION/POSSIBLE ACTION ONLY OF THE ELY CITY COUNCIL.**

### **A. CONSENT AGENDA**

**MOTION:** Move to approve the Consent Agenda item 8A-1 Minutes and 8A-2 Bills.

Councilman Spear stated I will be abstaining from the August 16, 2021 bills as Julie was paid during that time.

Mayor Robertson stated with that disclosure, we will separate the minutes from the bills.

1. Discussion/For Possible Action –Minutes.
  - July 22, 2021

Councilman Spear moved to approve the July 22, 2021 minutes as presented. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

2. Discussion/For Possible Action –Bills.
  - August 16, 2021

Councilman Flangas moved to approve the August 16, 2021 bills as presented. Councilman Carson seconded the motion. The motions carried with 4 ayes and one abstention from Councilman Spear.

### **B. OLD BUSINESS**

1. Mayor Robertson – Discussion/For Possible Action –Performance Evaluation of City Building Official Lee Walker including, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action.”

Mayor Robertson stated as the Council is aware City Building Official Walker has tendered his resignation and per the contract he has with the City, he is required to give a thirty-day notice. Your last day is September 29<sup>th</sup>; as a personnel session that item can be accepted?

City Attorney Cahoon stated that is correct as the resignation is a result of the contractual condition and his resignation can be accepted under that condition.

Mayor Robertson stated the Council can accept his resignation tonight and any other action they choose to make. We will have advertisements or whatever course of action we need to take on next week's agenda.

Councilman Alworth stated I was really hard on Lee at the last meeting and in the short period of time he stepped up and was Johnny on the spot on every one of my requests. He documented the time he went and was professional. I don't know if our chit chat helped or not, but I hope this didn't push you to do this because I think you've got a future with the City. You have to realize it is brand new to you as you are used to sawing and pounding nails. I felt I needed to be stern and you took it to heart and came to task and did everything I asked you to do. Thank you for your service.

Mayor Robertson stated is there a reason for your resignation that you would care to share?

City Building Official Walker stated it has been looming on my mind for quite a while. There is a lot to this job, and I will be the first one to admit that I didn't think Brad did a whole lot and I will be the first one to tell you that I was very wrong. There is so much to this job and it is overbearing. Most days I don't get a lunch working nine to ten hours a day. I try to be on top of everything but this last month has been really hard with Jennifer being out and trying to manage the office and do inspections. In all honesty you didn't push me; you may have nudged me a bit, but it is just not for me. I tried and it is just too much for me, so I would rather go back to construction. My kids were noticing my change when I would get home as I was taking it home with me. In those two weeks I really thought about it and asked myself, do I really want to do this for the next thirty years and be miserable every day. I love the City and want to help it out in any way I can, but I just don't think I am the right man for this job. I am going to go back to what I love to do and be a builder.

Mayor Robertson stated we do appreciate you taking a chance on us.

City Building Official Walker stated I appreciate you guys taking a chance on me as well. I know I didn't deliver in certain aspects. I didn't take the test because I didn't want to pay again as it is all money I have to pay back and if my heart wasn't in it, it's not fair to you guys to do that and myself as well.

Mayor Robertson stated we appreciate your honesty in that.

Councilman Spear stated I went and met with Lee after the last meeting to see if I could help him and I respect what you have done, and you are going to go back to pounding nails?

City Building Official Walker stated yes, that is my plan. This knowledge will be helpful for down the road, especially if I go for my Contractors License. I am going to continue the education as I can do it. The day to day stuff, being a single father with three young girls to look after, and volleyball practices there is not a lot of time for studying, so I am going to continue on my time frame.

Councilman Spear moved to accept City Building Official Walker's resignation with his last day with the City of Ely being September 29, 2021. Councilman Alworth seconded the motion. The motion carried unanimously.

## **C. NEW BUSINESS**

1. Mayor Robertson – Discussion/For Possible Action –Performance Evaluation of City Municipal Judge Michael Coster including, but not limited to consideration of character, alleged misconduct, professional competence, or physical or mental health. Possible action includes, but is not limited to, termination, suspension, demotion, reduction in pay, reprimand, promotion, endorsement, engagement, retention, or “no action.”

Mayor Robertson stated we are doing this in the interest of being consistent with all City Officials. Apart from the monthly report the judge provides this gives the Council an opportunity to ask any additional questions.

City Municipal Court Judge Coster stated I met briefly with the Mayor about this and as he knows, and you may know, my judicial conduct is supervised through the Administrative Office of the Supreme Court of Nevada; they do the training and take complaints, but there is a good portion of the job that has to do with administration, budget, personnel, and the new facility coming online. Any of those topics that you have thoughts about I would certainly like to know about. I am always available and would always like to talk to you. Whether the City Council makes it an annual habit of evaluating the Judge, I hope I never appear to be unavailable for comments, suggestions, or questions that can make us more efficient or budget conscious. Having said that, I will give you a summary. I am frugal and I do consider that to be a successful area for us. In the 4 ½ years that I have been doing this we did reduce the overall staff costs because we don't operate on Fridays anymore. We have been taking the best of the furniture and equipment from the old courthouse to the new courthouse so we can shorten the list of new purchases and cut the budget by a little over twenty percent. By Statute, the court system at our level has four special funds and one of them has a balance of about \$6,000.00 and the facility fund had a balance of about \$70,000.00 accumulated over the years and it is for just where we are now: furnishing court rooms. It is prohibited for it to be spent in the Judges office to make sure there is no abuse in that area, but can be used in the clerical staff area, for the clerks, the courtroom, and for cameras, and computers. We have been able to draw on that and reduce some of the direct appropriated monies from the City. Things are looking really good and I do take budget matters very seriously and I am proud of the progress that we have made. Last year we did come in under budget for our overall court operations not by sacrificing the work we do, but we cut back on travel and training as many people did last year and now do Zoom meetings. Since the State Law allows us to operate on microphones or audio only unlike the District Courts that are required by law to have cameras; we deleted cameras from the County's plan so that we could maintain lower costs of operation. The rare times we have to have cameras, because there is a witness in Carson City, usually a drug specialist; we use our own equipment to set up Zoom for that particular meeting and that happens once or twice a month. I want to let you know the Legislature has been very busy; everyone reads the paper and knows that. There are a couple of things that are going to affect the operations of the court starting last July 1<sup>st</sup> and running through January of 2024, and these are just conceptually so you will know what they are. Traffic offenses are being decriminalized so we don't treat them like regular criminal offenses if someone doesn't show for court or pay fines; the usual tools that we have used before we can no longer use and they are treating it more like parking tickets. We can expect the budget impact State and City wide will collect less fees and fines. Some of the fees will end up going to the collection agency that we used earlier. The second point is the Municipal Courts are now to be prepared to conduct jury trials, as I mentioned earlier. The third point which is the most disruptive to normal week in and week out operations is the State has directed starting in January 2024 all bond determinations be made within 48 hours of when a person is arrested. That means if someone is arrested Friday at four o'clock, they are going to have to be seen, and that can be by video, by a Judge by four o'clock on Sunday. If you are a court that doesn't operate on Friday as it is, there is a larger window of time an arrest can take place and the bond determination is going to have to be made off hours. At the present, that includes the prosecutor, and administrative staff out of the courts, and a Judge. We are brainstorming different ways to do that. The same law allows a Municipal Court Judge or Justice of the Peace, such as Judge Bishop in White Pine County, to serve in other counties so there is a possibility we will be on a rotation and you will have a duty weekend every two months or so where it will be your duty to take those calls. The law already by recent change requires there be written determinations for someone you are going to keep in jail. They have now shortened it from the long standing 72 hours to the 48 hours. During the 48 hours you have to see the person face to face and know enough about their criminal record if they are likely to abscond or if they are a risk to the public and make a decision if they should be held under bond or released. The whole focus is to get people out of jail pre-trial and not hold them unless there is a specific reasons to believe there is a public safety issue if they get out on the streets again or they are not likely to present themselves when they are



supposed to be in court; those are the two tests. I don't know if Judge Dubrescu is going to organize something that works with the 7<sup>th</sup> Judicial District, which would include Lincoln, Eureka, and White Pine Counties or if it will be a Statewide network of judges sharing this role. There is no reason forty judges around the State to be walking around on the weekends all day long with their cell phones being prepared to take a video call from someone that was arrested. We have a year to ramp up to it fully and the deadline is January 2024. We want to meet the responsibilities that have been given to us and not have it cost any more.

Mayor Robertson stated we appreciate you coming down here for this Judge Coster, and I for one certainly appreciate the benefit to the City having someone that is as diligent keeping up on these type of issues as you have been and continue to be. It is certainly a benefit having you in that position doing that work on behalf of the City and for those who get seen in the court, it is important as well.

Councilman Alworth stated I sat in when Linnea came down to go through the budget with Treasurer Trask and it was well presented, and I appreciate you being frugal. Do you have to pay the County for your new building space?

City Municipal Judge Coster stated we don't pay for it. My understanding is the long-term agreement between the City and the County is in summary form, the City provided the land long ago and the County provides the court room. It is listed as a shared court room. There are no specific plans, but it may be the that juvenile court starts to use that court room on Fridays as they only convene on Fridays and we are closed. We don't have exclusive use of the court room, but we have primary use. I want to add that Linnea and Lisa that work in my office are among the best clerical staff I have worked with in my thirty-five years of being a lawyer. They are both very dedicated, good with the public, and they coordinate between themselves at about the highest level you could envision. Things seldom surface to me, besides them saying we are going to do this or that, because their coordination is like clockwork; I am very lucky to have that. They make it easy to do this job and I want to thank them. I would be stumbling along if it wasn't for the really great work they do. I also want to thank you. It is an honor to do this. Every Lawyer thinks about the pros and cons or if they will ever have a chance to be a judge or interest to be a judge. While it is a part-time judge position in a lower volume court, it is at my elite stage in my career and an honor to do it; I enjoy it very much.

There was no action taken on this item.

2. Mayor Robertson – Discussion/For Possible Action – Retroactive approval of support letter for Ely Shoshone Tribe's application for federal funding under the National Telecommunications and Information Administration's Tribal Broadband Connectivity Program for broadband infrastructure.

Councilman Alworth asked did they say how much funding they were seeking?

Mayor Robertson stated they did not.

Councilman Spear moved to retroactively approve the support letter for Ely Shoshone Tribe's application for federal funding under the National Telecommunications and Information Administration's Tribal Broadband Connectivity Program for broadband infrastructure. Councilman Alworth seconded the motion. The motion carried unanimously.

3. Councilman Spear – Councilman Alworth – Discussion Only – Update on PORTER Group efforts on behalf of the City of Ely.

Councilman Spear stated it was a short meeting with Congress being on vacation. We did talk about the possibility to help find funding for a permanent daycare center here. They misunderstood that the facility is here in town and would just need some renovation, retrofit and playground equipment if we were to get that. They are looking to

help us to get support for the daycare. We are hoping to get the funding for the three items we asked for and it is looking good, so we will see what happens.

**Mayor Robertson handed the gavel to Mayor Pro Tem Williams-Harper.**

4. Councilman Alworth – Discussion/For Possible Action – Approval to loan at 0% interest **OR** donate \$144,987.12 City of Ely American Rescue Plan funds to the Nevada Northern Railway Foundation (NNRY) in order to restore the track between the White Pine Public Museum and the Nevada Northern Railway Museum prior to *Q & D Construction* paving it in place September 2021; NNRY allowed this track to be pulled up for the Nevada Department of Transportation's (NDOT) sewer project due to being awarded NDOT TAP Grant 0033(017) NDOT 74285, funds for which are not available at this time.

Councilman Alworth stated we put this on the agenda, and I would like to thank Jennifer for getting the page out of the American Rescue Plan Act (ARPA) guidelines. I believe this could be funded through that funding under aid for tourism or plans to upgrade for tourism. I believe with the work we have Cameron and General Herbert doing as well to look over it this item, it will go through without a glitch. Mark Bassett is here tonight, and he could get up and give a sales pitch on it. We are in a time crunch as Q & D are going to start asphaltting and Mark got a quote from a company for the \$144,987.12 to do that, so I will let Mark explain further.

NNRY President Mark Basset stated we did receive what they call a TAP grant to restore the track between the White Pine County Museum and the NNRY Museum. We wrote that grant and it was approved by the City Council in 2019. As part of that project when Q&D started the sewer project, they had two different ways of doing it. They could have excavated directly next to our tracks which would mean they would have to put in the metal plates or we could take the tracks out and then they could excavate a large ditch, put the sewer line in, and put the tracks on top of it. As part of the agreement they would grade the new right of way to the grade we specify; also part of that agreement they would pave the street after we put the track in so the street would only have to be torn up once. Now it is a matter of timing as they are ready to pave, and we are not ready with the grant yet. If we don't put the track in when they are ready to pave, then we will have to take out the freshly paved streets most likely next spring or summer. That is why we are here.

Councilman Spear stated I have read all of this and time is important without a doubt. If you go through the ARPA guidelines it states, if the U.S. Treasury Department denies this then the City has to refund the entire amount of money. What I would like to see is us moving forward with a 0% loan. I am in favor of funding this \$144,987.12 and then when the TAP money comes through, it can be paid back because the TAP money was specifically for this project, right?

NNRY President Mark Basset stated the TAP money is specific for the track. I did that grant in 2019 and we all know that prices have gone up since 2019 and we are going to stretch that money as far as we possibly can. If the City were to do this as a grant, that would allow us to not have to stretch the dollar quite as far. I understand both ways. I just want to get the track in before they pave the street.

Councilman Spear stated I think now is the time it needs to go in, I just want to make sure we are protected with the U.S. Treasury. We could maybe do no interest and even no payments for a while. I agree we need to fund this project out of ARPA funds.

Councilman Alworth stated I guess I am confused Ed. You are saying a loan, but you want to go through ARPA. ARPA funds, we just spend the \$144,987.12 and we are done with it. If we do a loan you are going to have to get the Bond Council involved because it is over \$100,000.00.

NNRY President Mark Basset stated I would like to address your concern and maybe this would make you feel more comfortable. I believe the Foundation would agree to if you want to make this a grant and the federal government came back to the City of Ely and

said it does not meet the requirements for a grant, the Foundation would reimburse the City of Ely the \$144,987.12.

Councilman Spear stated that makes me happy.

Councilman Alworth moved to grant \$144,987.12 City of Ely American Rescue Plan funds to the Nevada Northern Railway Foundation (NNRY) in order to restore the track between the White Pine Public Museum and the Nevada Northern Railway Museum prior to *Q & D Construction* paving it in place September 2021 with the stipulation if the grant does not meet guidelines, the Nevada Northern Railway Foundation will reimburse the City of Ely the full amount. Councilman Carson seconded the motion. The motion carried unanimously.

**Mayor Pro Tem handed the gavel to Mayor Robertson.**

5. Councilman Alworth – Discussion/For Possible Action – Review of City Police Chief’s and City Engineer’s recommendations in regards to installation of YIELD or STOP signs at the following locations, based upon traffic studies: 8<sup>th</sup> Street and Avenue N, 12<sup>th</sup> Street and Avenue L, 12<sup>th</sup> Street and Avenue K, and 12<sup>th</sup> Street and Park Avenue AND possible direction that a public hearing be held prior to Council’s final action to install said signs.

City Police Chief Henriod stated my statistics and recommendations were sent out to all of you and City Engineer Almberg. The first one to look at is Avenue N and 8<sup>th</sup> Street. One of the things that City Engineer Almberg and I emailed each other on was the volume of traffic that was there. I did indicate at the bottom of the letter that I sent to you that I feel the study was somewhat misconstrued because of all the construction going on and I think this road is being used to avoid the construction. I don’t know that for sure, so if the Council would like to redo that speed study later on, we can maybe get more accurate figures. When I pulled those figures and saw that 2,736 vehicles went through there in one week, that is a lot of vehicles. If that is accurate that would warrant some type of traffic control but if people are using that as an alternate route once the construction is over, we could come back the end of September or in October and redo that study.

Councilman Alworth stated I used that road a lot before the construction even started and during school you cannot get across that street because it is used heavily.

City Police Chief Henriod stated do you think that number is accurate?

Councilman Alworth stated I think it is a little bit high as there are people using it to avoid the construction, but I definitely think there is a need for a STOP sign there. Would the STOP sign be put on 8<sup>th</sup> Street going up and coming down so the traffic going on end would not be impeded.

City Police Chief Henriod stated I would probably put it on Avenue N going east and west.

Mayor Robertson stated because that would deter people and have them go on Avenue M instead?

City Police Chief Henriod stated possibly.

Mayor Robertson stated I also spend a lot of time at this intersection.

City Police Chief Henriod Stated people will usually take the most direct route and won’t skip a STOP Sign.

Mayor Robertson stated to be clear you are talking putting on the direction of travel on Avenue N or on 8<sup>th</sup> Street?

City Police Chief Henriod stated Avenue N.

City Engineer Almberg stated the week that study was done was the week Avenue M was closed off of Great Basin Boulevard.

Councilman Alworth stated putting it on Avenue N will slow the traffic down because they have to stop; I like that idea.

Mayor Robertson stated there is also traffic coming out of J & M Trucking; I know I have personally been caught by a big truck coming out of there. I think that intersection does get used more than you would think just by looking at the surrounding neighborhood.

City Police Chief Henriod stated it is up to the Council, but we can sure do another study if that is what you would like.

Councilman Spear stated we can always take a sign down. There is a lot of traffic up there as well as Avenue G and H. I am in favor of installing that sign up there.

City Police Chief Henriod stated let's look at Avenue L and 12<sup>th</sup> Street. The numbers are moderate. We had 666 vehicles go through that intersection and the speed percentage was extremely low, so I didn't make any recommendations in changing that intersection.

City Engineer Almberg agreed the traffic counts were low and could support yield signs and keep traffic slowed down going away from the schools.

City Police Chief Henriod stated Mr. Miller shared some comments during public comment, so the Council can take his concerns into consideration too.

City Engineer Almberg stated I take these traffic counts and run it through traffic standards and see what the recommendations are. One of the things that comes out of there is the history of accidents. The Sheriff stated he has had no accidents in these intersections.

Councilman Alworth asked Mr. Miller what are your thoughts, and would a yield sign be sufficient?

Mr. Miller stated the last few years I have spent a lot of time in that neighborhood and one thing that I see there it is set up like a figure eight at a demolition derby. Why I make that statement is I have been at my daughter's and you will see one vehicle traveling east on Avenue L and as soon as they clear the intersection, a car traveling south on 12<sup>th</sup> just misses them. I have seen kids on bicycles traveling down Avenue L heading home from David E. Norman and somebody running late headed south on 12<sup>th</sup> Street goes through the STOP signs and just misses them. I am fully aware of the standards; I have dealt with it before. I did write letters of recommendations and sent emails to these gentlemen. I felt 12<sup>th</sup> street and Avenue K having a YIELD sign and a STOP sign on 12<sup>th</sup> Street and Avenue L; the reason for that is visibility. By Mr. Doty's house and the Catholic Church on Avenue L there was more of a field of view for oncoming traffic than there was for the south bound traffic traveling up on Avenue L because Mr. Bilboa has a fence and vehicles parked on both sides. I felt because of that field of view, I would rather see a STOP sign. These guys have some great recommendations, and something really needs to be done because that street is centralized between two schools and we have a lot of

traffic from both of those schools utilizing those roads now and when I grew up there, we didn't.

City Police Chief Henriod stated the next one we can look at is Avenue K and 12<sup>th</sup> Street. Again, the numbers were low as we only had 585 vehicles that traveled through that intersection. The only thing I don't like about that intersection is there is a huge blind spot as you come off that hill. My recommendation was to put a STOP sign or YIELD sign there because of that. I drove that intersection multiple times trying to see the pattern and check things out, but as you are headed southbound that is a bad intersection.

City Engineer Almberg stated I recommended a YIELD sign because of the lack of traffic. When we are talking traffic, it is 585 in a week that pass through there. I don't want to be heartless, but all the situations are of people being late getting their kids to school and so it is a traffic violation that person is doing, and you cannot control somebody being late. We want to put out the right amount of traffic signs for the amount of traffic that is there that gives guidance and if they choose to speed or break the law, that is their decision. A STOP sign is not meant to control speed.

City Police Chief Henriod stated we will leave it up to the Council whether to put a YIELD or STOP sign there but there has to be something in that intersection.

Councilman Spear stated with the increased traffic that we have right now I think we have a safety concern, and do we want to consider a public hearing on this?

City Clerk Lee stated that is how the code is set up. A public hearing has to be held before any signs can be installed as that is part of the process.

Councilwoman Williams-Harper stated I just want to say thank you for your diligence in watching out for what is going on at the schools. It is ironic because I actually had some students come up to me today and say the traffic is bad where we are walking and it is all the areas you are talking about. I was really proud of them because they asked who they could talk to because they don't always feel safe walking and riding their bikes because the traffic is so heavy.

City Police Chief Henriod stated the last study we did was Park Avenue and 12<sup>th</sup> Street and that is a three-way intersection. The number of vehicles was 927 and that actually surprised me, but I think it is from the park use. I would recommend a YIELD sign there just because of the volume of the traffic and you are entering into an uncontrolled three-way which is really unusual.

Councilman Alworth asked when school is back in session, can we do another study on Avenue L and 12<sup>th</sup> Street?

City Police Chief Henriod stated yes.

Councilman Alworth moved to hold a public hearing prior to Council's final action to install said signs on 8<sup>th</sup> Street and Avenue N, 12<sup>th</sup> Street and Avenue K, and 12<sup>th</sup> Street and Park Avenue and completing another study on Avenue L and 12<sup>th</sup> after school is back in session. Councilman Spear seconded the motion. The motion carried unanimously.

6. Councilman Alworth – Discussion/For Possible Action – Direct City Police Chief to conduct a traffic study regarding possible future removal of YIELD or STOP signs at the

following locations – Murry Street and 1<sup>st</sup> Avenue, Murry Street and 3<sup>rd</sup> Avenue, and Murry Street and Annand Avenue– and to provide the results of that traffic study to the City Engineer in order for both officials to make recommendations at the City Council meeting following completion, pursuant to City Code 6-3-2(B).

Councilman Flangas stated I would like to table this item at this time. After talking to people that live on Murry Street it should be made a one-way street to make it safer instead of a series of STOP signs.

City Police Chief Henriod asked when will that street be paved?

City Engineer Almberg stated it will be this year.

City Police Chief Henriod stated I drive that road and it is a little rough and the traffic has slowed down, and I think a lot of people avoid that road right now. I think if we could do that study after the pavement is in you would see accurate figures.

Councilman Flangas moved to table City Police Chief conducting a traffic study regarding possible future removal of YIELD or STOP signs at the following locations – Murry Street and 1<sup>st</sup> Avenue, Murry Street and 3<sup>rd</sup> Avenue, and Murry Street and Annand Avenue until Murry Street construction is complete and pavement has been put in. Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

7. Councilman Alworth – Discussion/For Possible Action – Approval to hire temporary Utility-Accounts Clerk from recent interviewees due to current staffing situation in Finance Department.

City Treasurer/HR Director Trask stated the reason I requested this is I don't know if we need to use a temporary or not, but I feel like we might. I have one employee that has medical issues and I never know when they are going to be here or not. I have another Utility Clerk/Account Clerk hired but she will not start for two weeks. My thought on this is to have the ability to hire a temporary if we feel like it is needed. If we can find someone that is willing to come in, train to learn the position, be temporary, and they would possibly be on call. I keep getting short-handed due to the medical issues and the turnover downstairs. I feel like we are on a good path now.

Councilman Alworth stated I have been in City Hall and there are times the Treasurer is down there working the front desk. We are going to have vacations along with illnesses and we have to keep the office open; we can't be taking some of our upper management staff. They are doing the work, but I think it is a good idea to have a fallback. The only question I have is these temporary people have to be bonded too right?

City Treasurer/HR Director Trask stated our bonding comes through our POOL PACT Insurance.

Councilman Alworth moved to hire a temporary Utility-Accounts Clerk from recent interviewees due to current staffing situation in the Finance Department. Councilman Flangas seconded the motion. The motion carried unanimously.

8. Councilman Alworth – Discussion/For Possible Action – Approval of monthly balance sheets for general fund, street fund and enterprise funds.

Councilman Alworth stated on the balance sheets everyone needs to be aware the Treasurer will be making adjustments as we move into the new year from carry over and auditing corrections. I am content with how we sit right now.

Mayor Robertson stated it is obvious the care that is taken in these and it has been a long time since the City has been in this good of a situation.

Councilman Alworth moved to approve the monthly balance sheets for general fund, street fund and enterprise funds. Councilman Carson seconded the motion. The motion carried unanimously.

9. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval of three percent (3%) raise to Public Works Supervisor Cracraft based upon his August 23, 2021 performance evaluation.

City Clerk Lee stated I would like to mention the sound system improvements today are a result of Mike taking the initiative to contact Ford AV and bring a technician up here; we learned a lot while this technician worked with us and he is still here remoting in from Mike's office to make sure we are good. I would also like to note the improvement with Broadbent Park after we had that vandalism incident; Mike was very proactive in getting cameras installed right away and that has definitely made a difference for the activity around the park. I work late a lot in the summer and I felt comfortable this summer coming down late at night as there have not been the exciting incidents just trying to park. There were kids zipping the parking lot almost every time I tried to park last summer and that is now nonexistent. I would also like to note as far as Broadbent Park and other areas of the community preparing for the 4<sup>th</sup>, I received a call from a prominent member of the community stating "your Public Works really worked their hearts out to prepare for the 4<sup>th</sup> and for the Vietnam Wall Memorial arrival." I think that is a result of Mike's example that his crew works like he does. Based on that and his performance evaluation last Monday, I highly recommend that he receive a 3% raise.

Councilman Alworth stated if the City Treasurer is still on the phone, can you explain what Neal with POOL PACT said and why we went this route versus a normal personnel session, so everybody is aware.

City Treasurer/HR Director Trask stated Mike is not an appointed position. He was hired by the City Clerk who was not Jennifer at the time. His performance is to be critiqued by his supervisor and not by public officials and his evaluation is not considered public information.

Mayor Robertson stated Mike is the only exempt, non-appointed employee of the City as I understand it, correct?

City Treasurer/HR Director Trask stated that is correct.

Councilman Alworth stated that is why when I have questions I run them through Jennifer and carbon copy Mike; she bases her evaluation on the performance of that.

City Clerk Lee stated I definitely took Councilman Alworth's comments into consideration along with my own requests.

Councilman Alworth stated the last increase in pay Mr. Cracraft got was back in 2019 and the price of beans have gone up.

Councilman Alworth moved to approve a three percent (3%) raise to Public Works Supervisor Cracraft based upon his August 23, 2021 performance evaluation. Councilman Flangas seconded the motion. The motion carried unanimously.

10. Council Members – City Clerk Lee – Discussion/For Possible Action – Approval to hire Nevada Rural Water Association to conduct income surveys in proposed Parker Avenue Sewer and Bell Avenue Pipeline CDBG project areas for approximately \$6,600.00.

City Clerk Lee stated we discussed prior to me contacting Nevada Rural Water B.J.'s top two for the surveys, so I contacted them on the Parker and Bell Avenue Pipeline Projects; they responded back and indicated they would only have one travel cost as far as over and back, but there would be a cost to conduct the surveys and their expenses while they are here; this is a two for one to eliminate two trips. The surveys are good for five years.

Mayor Robertson stated as these are water/sewer projects the ARPA funding seems pretty clear that it can be used for water/sewer projects in addition to COVID items. Could we use our ARPA funding for this?

Councilman Alworth stated I believe so. The only question I have is the quote is for \$3,269.00 is that times 2?

City Clerk Lee stated \$6,600.00 is the total; it is approximately \$3,300.00 each.

City Engineer Almberg stated these would have to be completed because right now we don't have a low to moderate income (LMI) area.

Mayor Robertson asked when was the last LMI study done?

City Engineer Almberg stated it has been a while and I don't necessarily agree with the maps I am looking at, as I think they got them interchanged. Some of the areas I thought were LMI they actually have noted as outside LMI so I think they did the calculation, but forgot to subtract from one hundred.

Mayor Robertson asked the studies they do will not be based on previous maps?

City Engineer Almberg stated no, they will come in and do a new survey.

Councilman Spear moved to approve the hiring of Nevada Rural Water Association to conduct income surveys in proposed Parker Avenue Sewer and Bell Avenue Pipeline CDBG project areas for approximately \$6,600.00. Councilman Alworth seconded the motion. The motion carried unanimously.

11. Council Members – City Treasurer Trask – Discussion/For Possible Action – Approve Budget Committee's recommendation of the American Rescue Plan expenditures, to include, modify or exclude the following: Premium Pay for all current City of Ely employees as essential workers during COVID-19 pandemic in an amount to be determined; Fire/EMS Compensation for future COVID uncertainties-\$200,000; Committee Against Child Hunger (CACH) Program donation-\$10,000; Food Bank donation-\$10,000; and COVID-19 Vaccination Awareness Campaign-\$200,000.

Councilman Alworth stated I believe there were sixteen items and we put together ones we thought were the quickest ones that did not require a lot of in-depth planning. The most in-depth planning was for the premium pay for City Employees and that has been ran through our auditing company and the Treasurer has a spreadsheet showing the breakdown of the different percentages. With these other ones we have to remember this is the first installment to the City. We are still open for discussion, but we thought these items would get the ball rolling.

Mayor Robertson stated for the benefit of the Council, Janette as I recall there is a maximum amount per hour they allow?

City Treasurer/HR Director Trask stated yes, we can pay a premium of up to \$13.00 an hour per employee that is considered as essential, which all the employees of the City are considered essential workers. The way I would say to handle it is you can pay up to the \$13.00/hour but there is a cap of \$25,000.00 per person per year. The worksheet I came up with shows what 3%, 4%, and 5% would be. Instead of doing the \$13.00/hour, which we are allowed, it wouldn't be connected to overtime and it would be something I would track as a separate pay code. I did talk extensively with our auditor and you can't do bonuses or back pay as far as going back before the date that Jim had mentioned. Our recommendation from the Budget Committee was to come up with a dollar amount per person or a percentage and do it for a limited time through the fiscal year. We do have a next round coming if it is something we would like to continue, we can look at it at that time, but it is allowed in that aspect.

Mayor Robertson asked do you have an amount and a time period you would like to recommend Janette?



City Treasurer/HR Director Trask stated if we do the \$13.00 an hour you are looking over one million dollars so I am not recommending that as we could use up all of our funding just paying premium pay. We have approximately 44 full-time/part-time employees. I would recommend going with a percentage.

Mayor Robertson stated if we did a 2% or 3% until the end of the fiscal year, is that something we want Janette to type up the numbers to look at during our meeting next week?

Councilman Carson stated I think that would be a good idea.

City Treasurer/HR Director Trask stated the worksheet I have completed was done for a full fiscal year which is more than we have going now because we have already passed July and August. What I did was take everybody's base pay and came up with percentages of their hourly wages for a full year.

Mayor Robertson stated I think the consensus of the Council is we would like to see that spreadsheet next week for approval. The Fire/EMS item is we are putting it in the bank for future need?

City Treasurer/HR Director Trask stated the way I see it if we approve this we are going to take that amount and place it in a restricted account in case an issue due to COVID arises and it is needed to supplement our emergency response people with more wages.

Mayor Robertson asked is that also for if they need equipment to respond to a COVID pandemic issue or for some reason if our staff levels drop because they are all quarantined. Can we use that money to bring in contractors to help cover things?

City Treasurer/HR Director Trask stated yes for contractors or overtime for the ones that can work. This money is set aside for wages, but it is not to say that some of it could not be used for the Fire Department. I have sent out a request to the Budget Committee that the City Fire Chief has submitted for a piece of equipment.

Councilman Alworth stated I would like to disclose I am a past member of the fire department for 36 years and the decisions I make are for the betterment of the City of Ely. I just want to make clarification on this. The premium pay for all employees includes the fire department and we are saying fire/ems compensation on this item. I want to make sure the wording is correct, so we are not double dipping

City Treasurer/HR Director Trask stated the way I read this is that we are going to reserve that \$200,000.00 in case something hits due to COVID that's created more money needing to go out in wages. It won't be part of the premium pay but as regular pay. If you have several of them out sick due to COVID and there are others that have to put in overtime to cover shifts, we could start pulling from that amount because that wasn't budgeted for.

Mayor Robertson stated to me this might be making things a little more complicated. We have the money in the account already for that need, so I don't see the benefit in this.

Councilman Carson stated what would happen if we did not use the money. Would we have to turn it back or do something else with it?

City Clerk Lee stated we have to have the money committed by December 31, 2024, but it doesn't have to be all spent by that time.

City Treasurer/HR Director Trask stated this is putting it in a reserve and if we don't use it for that, then we cut it loose and use it for something else. In the end, we have to have all this money spent by a certain date and we are just starting.

Councilwoman Williams-Harper asked should it be stated a different way if we are going to use the money for compensation and equipment?

Mayor Robertson stated yes, probably.

Councilman Alworth stated I think we need to drop the word compensation.

Mayor Robertson stated just word it for Fire Department use. Are there any questions on the CACH Program donation or the food bank donation?

Councilman Spear stated the CACH Program right now is averaging about \$7,000.00 a month in lunches and they expect it to increase to \$10,000.00 when school starts this year because of a lot of other issues out there. If you take that into account \$10,000.00 is just not enough. It specifically says you can use child nutrition programs, SNAP, and school lunch; I don't think that number is high enough.

Mayor Robertson asked can someone from the CACH program put in a request because we came up with this number?

Councilman Spear stated what the lady from the CACH program told me was they need \$120,000.00 a year. They get about \$7,000.00 a month in donations, but there is no guarantee there. That is \$36,000.00 a year if you take the difference.

Councilwoman Williams-Harper stated we are feeding our community and our kids, and more kids go hungry than you would ever imagine.

Councilman Alworth stated I would hate to give them \$120,000.00 and then they lose the \$7,000.00 in donations because people think it is not needed, so I think it needs to be the difference.

Mayor Robertson stated we could start with what the committee suggested. We have money and we have time so they could come back and request more. On this last item, the COVID-19 Vaccination Awareness Campaign I came up with the number because I talked to an ad company and explained what we would be doing. I told them to give us a price for everything that could be done and if the Council decides to allocate money to this it would still have to go out for a Request For Proposal (RFP) and there would have to be a competitive review process. I really feel an ad campaign is the last arrow in the quiver. I think mask mandates have limited effect as it gets people angry; requiring vaccinations stir people's dander up as well. The State has fallen down on this job as far as this type of campaign. On our way to Reno and back and around Carson City I saw one small billboard and it was outside of Fallon and I am sure they spend most of their money in Clark County. That was the only one I saw, and most people don't even know what the State is doing with those vaccine programs. If the Council feels this is too much, I will take whatever we can get and do what we can. Councilman Alworth did point out the full-page ad the hospital had in the paper and while I think stating facts is helpful, I think we need a better, more persuasive argument being made. If you think back about the ads during World War II for bonds, war bonds and drives; it was billboards, movie reels, and lots of things like that. We have a lot more available to us through the internet. That is not my specialty and I think hiring an ad company that does this type of thing could do a really good campaign for our community and with the stipulations on this money, this is what it is for. I think it is our last thing to do as far as direct COVID relation.

Councilman Carson stated I do think it is a little steep. I would like to see our advertising done locally. Everybody has done so much and you either want the vaccine or you don't at this point. It is available and you can choose to go get it or not to. I think we may be kicking the rock down the road.

Mayor Robertson stated we are all susceptible to ads. I buy things I didn't mean to buy because it was a good ad. The hospital had a well stated ad and it had arguments and I don't think anyone is being convinced by statistics and arguments as they have made up their mind. It is time to approach this from another angle and it would be local advertising. We can put ads on Facebook and get to all different demographics.

Councilman Alworth stated I agree with Councilman Carson that we need to keep the money local. We have two newspapers here, and we have a printing business. Let's put money into the hospital stuff and work together. The World News every morning has COVID information and it is all over the media. It is highly seen and they're tired of seeing it, so how are you going to convince the other 44% of the population as we don't want to put too much government in this coming from the City of Ely. I'm not going to tell people to go get their kids vaccinated as that is not my deal. I don't want to push too hard and I think we are doing plenty in my opinion, but we need to keep all the money in White Pine County. I don't know how a message on a billboard and people shooting through is going to work. I hate to see anyone get sick with this but is all this money going to make a change? I would like to see this scaled way back. I think our County Health Officer is doing a great job getting information out every week. If the hospital needs help with advertising, we can help them out. I don't think we can push any harder. Either people are going to get vaccinated or they're not; until someone close to them gets sick it won't change.

Mayor Robertson stated there is a lot of truth in that, but the purpose of hiring an ad agency is because of what's on your shirt: an ad agency came up with that. The flyers and stuff will all be produced here, the ads get bought here, but if all we're looking for is a statement of facts then you are right it can be done locally.

Councilman Flangas stated I read the Las Vegas Daily and the media was very insulting when I see that the State is giving a lot of money away and everyone of their presentations of who received this money was from Clark County. There are other people in the State of Nevada and what I would like to see is taking some of that money and come out with a program enticing the school kids to come up with a campaign and get their parents involved too.

Mayor Robertson stated that is precisely my point that I don't think the State's give away program is effective. What I am talking about when I say ad campaign is a picture with someone with a mega hat on in front of a Trump sign saying "I had questions about the vaccine, and I went and talked to my Doctor." You are right we are not going to convince people to go get a vaccine. The studies show that people are only possibly convinced by talking to their health professional and the campaign in my mind would be to drive people to talk to their health professionals. We had talked about an ad campaign and I wanted to put that in front of the Council.

Councilwoman Williams-Harper stated I think you are all right. I think it would be good to keep it local and if we keep it local, it is a smaller number for funding. What Councilman Flangas said about a poster contest and letting our school kids put those together is a great idea as they think in ways we don't think as adults. We are trying to convince the people in our small haven the right thing to do and I don't think any of us is wrong. It should stay local and scale that number back, but what does local mean? I think kids at the forefront of this is very important because we are experiencing kids getting sick and I worry about that every day. Maybe this needs more tweaking.

Councilman Spear stated I just came back from Las Vegas and almost everyone of the NDOT signs has "Protect your Family, Get the Shot", but again we have until December 31, 2024 to spend this money and I think we need to scale that back to \$20,000.00 and get some kind of campaign going because you can always add to it. If you throw \$200,000.00 out there everybody is going to come looking for that. I think we need a local program and the COVID increases here in White Pine County need to be out there in front of people because it is a scary deal.

Mayor Robertson stated once again, I hate to beat the dead horse, but someone has to come up with what goes in the paper, on the radio, or on flyers. The ad company I spoke to was a Nevada company as I don't believe we should be spending our money out of state, and if we can spend it here locally, I agree with that, but those are my thoughts. I think if I can sum up all these for the Council is to push the first one back to next week's meeting so we can see the percentages from Janette; to drop the word compensation from the Fire/EMS item; and a preliminary investment to the CACH Program and the Food

Bank of \$10,000.00, and then whatever the pleasure of the Council is on the Vaccination Campaign.

Councilman Alworth stated I think if we pushed on the Vaccination Campaign with \$20,000.00 our local newspapers could come up with some ideas to sell the back page of the paper. We can get flyers printed at the local print shop and have it sent home with all the students.

Councilwoman Williams-Harper stated if we do tshirts and shoot them out to the kids at games they will wear that stuff.

Mayor Robertson stated if that is the pleasure of the Council, I would like permission from the Council to take the lead and report back on that.

Councilman Spear moved to have a spreadsheet provided at the next City Council meeting by the City Treasurer regarding premium pay, remove the wording of compensation from the Fire/EMS item for \$200,000.00 to hold in reserve, fund the CACH Program and the Food Bank each \$10,000.00 with the option to request more in the future, and to fund \$20,000.00 towards a vaccination campaign that the Mayor will take the lead on and report back to the Council. Councilman Alworth seconded the motion. The motion carried unanimously.

12. Council Members – City Attorney Cahoon – Discussion/For Possible Action – Direction to City Attorney to Draft an Ordinance Amending Title 4, Chapter 2 of the Ely City Code for the Revision of Landfill Fee Assessment.

Councilman Carson moved to direct the City Attorney to Draft an Ordinance Amending Title 4, Chapter 2 of the Ely City Code for the Revision of Landfill Fee Assessment.

Councilwoman Williams-Harper seconded the motion. The motion carried unanimously.

## **9. PUBLIC COMMENT**

Geoverse Vice-President Kevin Hayes stated I was requested to come and tell you about thirty minutes worth of stuff so will give you a three-minute version. You have heard the names WestNet, Geoverse, and Choice Broadband here in town and we are all the same company. We have been going through a bit of an identity crisis in the last year so have consolidated into Commnet Broadband. We just opened a store front about two blocks from here for the Choice Broadband solutions to provide direct service to the consumer providing services throughout the County including Baker, Lund, McGill and throughout the City of Ely. I am going to talk about the request that I got from Councilwoman Williams-Parker regarding the Connect America Fund which is the subsidy that Commnet broadband was awarded a couple of years ago and has been deploying broadband here in this community. The question around phase 2 of Connect America is what it is, and it is a federal subsidy in form of a reverse auction. The FCC came out and said for how little can you serve all these houses in this certain census block and multiple bidders came in and we happen to have the per unit lowest bid. Therefore, we were awarded service territories in a significant amount of White Pine County, areas around McGill, around the industrial park, residential areas east of the hospital, areas around the high school near the highway, in the Ely Shoshone Tribal area, and some area just south of the Blue Diamond area. Most of it encompassed nominal amounts of homes and significant amount of homes in Ely and McGill. Some of these areas probably had to do with the arguable availability of AT&T or DSL in the area at that time.

George Chachas stated I am very disappointed with what happened with the Railroad as there are two members that sit on the Board and as far as I am concerned they have a contract and they cannot represent the City of Ely when they are taking care of the Railroad. You keep handing out money to the Railroad and you are not getting any accountability back; ten to fifteen years ago they were supposed to take care of the curb and gutter on Orson Avenue and I am still waiting. You talked about COVID monies and advertising, Mayor: save your money. Your biggest problems in this community are two County Commissioners in particular and three sheep. I have a sign on my window that says please do not enter unless you wear a mask and when I confront the people and offer them a mask they say “George don’t worry. The Commissioners said we don’t have to wear one.” Don’t waste your money; give it to the CACH

Program. Mr. Chachas stated ongoing concerns regarding whether past rent and utilities were collected from Garnet Mercantile; the Railroad owning the White Pine County Trailer Park in 2007 and if all the utilities were collected; the Regional Planning Commission Chairman asking me to be more specific in my requests; and selective enforcement.

**10. ADJOURNMENT: THE MEETING MAY BE ADJOURNED BY APPROPRIATE MOTION OF THE CITY COUNCIL.**

Councilman Alworth moved to adjourn the Regular meeting of the Ely City Council at **7:23 p.m.** Councilman Spear seconded the motion. The motion carried unanimously.

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**MAYOR**

\_\_\_\_\_  
**ATTEST**

DRAFT